

ORIGINAL

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

RECEIVED
AUG 29 2005

Illinois Commerce Commission
RAIL SAFETY SECTION

CITY OF SPRINGFIELD, ILLINOIS,
a municipal corporation,

Petitioner,

v.

ILLINOIS CENTRAL RAILROAD COMPANY, STATE OF
ILLINOIS DEPARTMENT OF TRANSPORTATION,
DIVISION OF HIGHWAYS, NORFOLK SOUTHERN
RAILWAY COMPANY,

Respondents.

PETITION FOR AN ORDER OF THE ILLINOIS COMMERCE
COMMISSION PURSUANT TO 18c-7401 OF THE ILLINOIS
COMMERCIAL TRANSPORTATION LAW DIRECTING THE
CLOSING OF THE YALE BOULEVARD GRADE CROSSING
WITH THE TRACK OF THE ILLINOIS CENTRAL RAILROAD
COMPANY, AND DIRECTING THE OPENING OF A GRADE
CROSSING AT THE LOCATION OF 10TH STREET WITH
THE TRACK OF THE ILLINOIS CENTRAL RAILROAD
COMPANY ALL IN THE CITY OF SPRINGFIELD, ILLINOIS

No. T05-0034

TRANSPORTATION DIV.

2005 AUG 29 P 3:09

ILLINOIS COMMERCE
COMMISSION

**Prepared Verified Testimony of Timothy J. Sheehan,
City Engineer for the City of Springfield, Illinois
Presented in Support of the Verified Complaint Filed in the Above Cause**

-
- 1 Q: Would you please state your name?
 - 2 A: Timothy J. Sheehan.
 - 3 Q: What is your current employment?
 - 4 A: I am the City Engineer for the City of Springfield, Illinois.
 - 5 Q: What is your education?
 - 6 A: I hold a high school diploma. In addition, I received a Bachelor of Science degree
 - 7 in Civil Engineering from the University of Illinois in Champaign-Urbana in 1979. I am

DOCKETED

8 a licensed professional engineer with the State of Illinois.

9 Q: What is your work experience?

10 A: I worked for 4 years with the Illinois Department of Transportation as a
11 construction engineer. I worked for 12 years with Rapps Engineering as a project
12 engineer. I worked 8 years as President of Sheehan Engineering, Inc. I am currently
13 employed as the City Engineer for the City of Springfield, Illinois, and have been for 2
14 years.

15 Q: When were you hired by the City of Springfield, Illinois?

16 A: I was hired in 2003 as the City Engineer.

17 Q: As City Engineer, what are your duties and responsibilities?

18 A: I am in charge of planning, construction and the on-going maintenance of many of
19 the major public infrastructures located in Springfield, Illinois, such as roads, streets,
20 sewers, drainage, storm water management, traffic signals, curbs and gutters, and
21 sidewalks.

22 Q: Are you familiar with the proposal to construct a new grade crossing at 10th Street
23 and Stanford Avenue and to close the existing grade crossing at Yale Boulevard and
24 Stanford Avenue?

25 A: Yes.

26 Q: How did you become familiar with these proposals?

27 A: Through my work with redevelopment in the Park South Tax Increment
28 Financing District (the "Park South TIF"). A developer in the Park South TIF has
29 submitted plans for these proposals to facilitate the redevelopment of the area.

30 Q: Are 10th Street, Yale Boulevard and Stanford Avenue all public streets within the

31 jurisdiction of the City of Springfield, Illinois?

32 A: Yes.

33 Q: What is the City's intention for this street network in relation to crossing the
34 Norfolk Southern Railway line?

35 A: The City would like to connect the Park South TIF to Stanford to the north. The
36 Park South TIF is already connected to Stevenson Drive on the south, 6th Street on the
37 west and 11th Street on the east.

38 Q: Why is it necessary to configure the street network in this manner?

39 A: It will provide a safer means of access to and from the northernmost parts of the
40 Park South TIF.

41 Q: Is the existing Yale Boulevard crossing located within the City of Springfield
42 corporate limits?

43 A: Yes.

44 Q: Is the existing crossing at Yale Boulevard signalized?

45 A: No.

46 Q: Is the proposed crossing at 10th Street within the City of Springfield corporate
47 limits?

48 A: Yes.

49 Q: Will the proposed crossing at 10th Street be signalized?

50 A: Yes.

51 Q: What type of roadway will be constructed to serve the proposed crossing at 10th
52 Street?

53 A: The 10th Street extension will be a 3 lane, 40 foot wide asphalt pavement situated

54 within at least 60 feet of the right of way. The openness will allow clear visibility of the
55 crossing, the signals and any train traffic.

56 Q: Will it be an all-weather surface?

57 A: Yes. It will be full-depth asphalt, presumably like all of the roads that are
58 currently in the Park South TIF.

59 Q: Will the width be sufficient to accommodate existing vehicular traffic plus the
60 vehicular traffic that will be rerouted there by the closure of the Yale Boulevard crossing?

61 A: Yes. It will be 3 lanes.

62 Q: What type of vehicular traffic will be allowed on 10th Street near the new
63 crossing?

64 A: I predict that the majority of the traffic will be cars from the businesses operating
65 in the Park South TIF, although some delivery trucks are expected to use it as well.

66 Q: Will the extension of 10th Street through the proposed crossing have an adverse
67 effect on public safety?

68 A: No. It will increase public safety by providing a compatible mix of traffic. It
69 will also decrease emergency response time for the businesses located on the northern
70 part of the Park South TIF. The proposed crossing will be a new state of the art
71 signalized crossing that will presumably be much safer.

72 Q: What is the impact of the closure of the Yale Boulevard crossing and opening of
73 the 10th Street crossing on emergency vehicles?

74 A: Emergency vehicles will have more direct access to the northern lots of the Park
75 South TIF and the roadway will be much improved and be able to accommodate heavy
76 loads, such as a fire truck.

77 Q: Are you aware of any accidents near the Yale Boulevard crossing and the
78 proposed 10th Street crossing within the last 5 years?

79 A: I have checked with the Springfield Police Department and there have been no
80 accident reports filed at either of these two crossings.

81 Q: How will costs of the improvements required to accommodate the crossing be
82 paid?

83 A: Since the area is in a Tax Increment Financing District, it is anticipated that such
84 costs will be eligible for reimbursement through the Park South TIF.

85 Q: *In absence of constructing a new crossing at 10th Street, how would vehicles*
86 *access the northern lots of the Park South TIF as shown on Petitioner's Exhibit A?*

87 A: From the proposed 10th Street location, vehicles traveling on Stanford have two
88 options: (1) continue to the east on Stanford, then south on 11th Street, west on Knox
89 Avenue, north on Fiat Avenue and west on Linton Avenue, for an additional ¾ of a mile;
90 or (2) go west on Stanford, south on 5th Street and east on Linton Avenue, also
91 approximately an additional ¾ of a mile.

92 Q: Other than constructing a new crossing at 10th Street, is there any other more
93 economical means for vehicles to cross the Norfolk Southern railway line in that area?

94 A: No. The only other alternative to provide access to the southern lots would be to
95 improve existing Yale Boulevard in that location and update the existing crossing with
96 signals and gates. For safety reasons, I do not recommend using Yale Boulevard for
97 access to the area, as it is in close proximity to existing buildings. Additional right of
98 way would need to be acquired to construct the roadway to the proper width, and possibly
99 the nearby property and buildings might require acquisition and razing. The closure of

100 Yale Boulevard and extension of 10th Street is the most efficient and safest way to access
101 the northern lots of the Park South TIF.

102 Q: Once a new crossing is established at 10th Street, what do you expect the crossing
103 average daily traffic (the "ADT") will be?

104 A: The Federal Bureau of Investigation (the "FBI") is in the process of constructing a
105 new office on Linton Avenue, of which the occupancy load has been determined as in
106 excess of 500. An additional 6, rather large, building lots are proposed adjacent to the
107 10th Street crossing, and there are still other lots available for purchase throughout the
108 Park South TIF. Therefore, I estimate initially that the ADT will increase by
109 approximately 1,000 vehicles per day from the FBI traffic. Over and above that, any
110 future development that spurs from the construction of the 10th Street crossing and
111 extension will only add to those numbers.

112 Q: Are there any switch tracks or other operational activities of the railroad that the
113 new crossing at 10th Street would interfere with?

114 A: No. There are not any switch tracks or other railroad equipment in the area. It is
115 a straight track.

116 Q: Do you anticipate that the new crossing at 10th Street will pose any risks to train
117 crews or motorists beyond those normally associated with a grade crossing?

118 A: No.

119 Q: Does this conclude your prepared direct testimony on behalf of the City of
120 Springfield?

121 A: Yes.

122

Timothy J. Sheehan

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief, and as to such matters the undersigned certifies as aforesaid that he verily believes the same to be true.

By: *Timothy J. Sheehan*
Timothy J. Sheehan

STATE OF ILLINOIS)
) SS.
COUNTY OF SANGAMON)

I, the undersigned, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY that Timothy J. Sheehan, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed, sealed and delivered the forgoing instrument as his free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 29 day of August, 2005.

Tracy A. Johansson
Notary Public



STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

CITY OF SPRINGFIELD, ILLINOIS,
a municipal corporation,

Petitioner,

v.

ILLINOIS CENTRAL RAILROAD COMPANY, STATE OF
ILLINOIS DEPARTMENT OF TRANSPORTATION,
DIVISION OF HIGHWAYS, NORFOLK SOUTHERN
RAILWAY COMPANY,

Respondents.

No. T05-0034

PETITION FOR AN ORDER OF THE ILLINOIS COMMERCE
COMMISSION PURSUANT TO 18c-7401 OF THE ILLINOIS
COMMERCIAL TRANSPORTATION LAW DIRECTING THE
CLOSING OF THE YALE BOULEVARD GRADE CROSSING
WITH THE TRACK OF THE ILLINOIS CENTRAL RAILROAD
COMPANY, AND DIRECTING THE OPENING OF A GRADE
CROSSING AT THE LOCATION OF 10TH STREET WITH
THE TRACK OF THE ILLINOIS CENTRAL RAILROAD
COMPANY ALL IN THE CITY OF SPRINGFIELD, ILLINOIS

CERTIFICATE OF SERVICE

I certify that on 8/29 2005, I served the foregoing Prepared Verified Testimony of Timothy J. Sheehan, by mailing a copy to the following by depositing a copy of the same in the United States Mail at Springfield, Illinois, at or before 5:00 P.M., via regular first-class mail, postage fully prepaid, in a sealed envelope.

Mr. Victor A. Modeer
Director, Division of Highways – IDOT
Attn: Jeff Harpring, Room 205
2300 S. Dirksen Parkway
Springfield, IL 62764

Mr. Curtis Tillett
3201 Old Jacksonville Road
Springfield, IL 62711

Ms. Ellen J. Schanzle-Haskins
Chief Counsel
Illinois Dept. of Transportation
2300 S. Dirksen Parkway, Room 300
Springfield, IL 62764

Mr. Neil F. Flynn
Attorney at Law
1035 South Second Street
Springfield, IL 62704

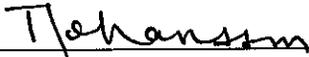
Mr. Michael J. Barron
Counsel
Illinois Central Railroad Co.
17641 S. Ashland Avenue
Homewood, IL 60430

Mr. Gary Brown
Attorney at Law
Sorling Law Offices
P.O. Box 5131
Springfield, IL 62705

Mr. Richard E. Boyle
Gundlach, Lee, Eggman, Royle and Roessler
5000 W. Main St., Box 23560
Belleville, IL 62223

Mr. Thomas W. Ambler
Designated Agent
Norfolk Southern Railway Company
Three Commercial Place
Norfolk, VA 23510-2191

Mr. Rick Ray
Norfolk Southern Railway Company
99 Spring St., SW
Box 123
Atlanta, GA 30303


Tracy Johansson
Assistant Corporation Counsel

Jenifer L. Johnson, Corporation Counsel
Tracy Johansson, Assistant Corporation Counsel
Attorneys for Petitioner
800 E. Monroe, Room 313
Springfield, Illinois 62701-1653
(217)789-2393 phone
(217)789-2397 fax
tjohansson@cwlp.com